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REMARKS

The Examiner has rejected Claims 22-26 under 35 U.S.C. 101 for being non-statutory. Applicant respectfully disagrees with such rejection. In particular, applicant points out that Claim 22 includes "a computer readable medium that stores said computer codes." Thus, such claims are deemed statutory.

The Examiner has again rejected Claims 1-26 under 35 U.S.C. 103(a) as being unpatentable over Rothwell et al. (U.S. Pub No. 2003/0088627) in view of Hart (U.S. Pub No. 2002/0116463). Applicant respectfully disagrees with such rejection.

Specifically, as amended in Amendment A mailed 05/04/05, the present application claims priority to application serial number 09/916,599, which was filed on July 26, 2001. Note again the attached supplemental declaration. To this end, the aforementioned Rothwell reference is no longer prior art with respect to the present application, as the effective date thereof does not predate the current priority date of the present application.

A notice of allowance or a proper prior art showing of all of the claim limitations, in the context of the remaining elements, is respectfully requested.

Thus, all of the independent claims are deemed allowable. Moreover, the remaining dependent claims are further deemed allowable; in view of their dependence on such independent claims.

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In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NAI1P314/01.166.01).

Respectfully submitted,
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